

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Ahmed Almontaser

Docket No. 5:16-CR-22-5H

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ahmed Almontaser, who, upon an earlier plea of guilty to 18 U.S.C. § 371, Conspiracy to Traffic in Contraband Cigarettes, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on October 11, 2017, to the custody of the Bureau of Prisons for a term of six (6) months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of three (3) years.

Ahmed Almontaser was released from custody on June 01, 2018, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Currently, the defendant is supervised in the Eastern District of New York by U.S. Probation Officer Ryan Lehr. As a condition of supervised release, the defendant's conditions include the following: "The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility." This condition is normally ordered in cases in which the instant offense is Driving While Impaired (DWI). The defendant does have a prior conviction for a DWI in 2009, but there is no evidence of alcohol abuse. Additionally, the mandatory drug screens were waived by the court based on a low risk for substance abuse. It appears our office recommended the condition requiring the substance abuse assessment by mistake. Officer Lehr is requesting that this condition be remitted.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The following condition is hereby remitted: The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith

Supervising U.S. Probation Officer

150 Rowan Street Suite 110

Fayetteville, NC 28301

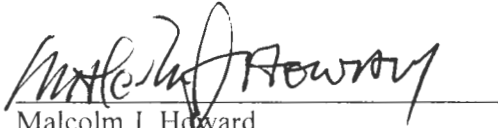
Phone: 910-354-2537

Executed On: December 13, 2018

Ahmed Almontaser
Docket No. 5:16-CR-22-5H
Petition For Action
Page 2

ORDER OF THE COURT

Considered and ordered this 17th day of Dec, 2018, and ordered filed and made a part of the records in the above case.

A handwritten signature in black ink, appearing to read "Malcolm J. Howard", written over a horizontal line.

Malcolm J. Howard
Senior U.S. District Judge